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LOCAL AUTHORITY NOTICES • PLAASLIKE OWERHEIDS KENNISGEWINGS

LOCAL AUTHORITY NOTICE 1031 OF 2020**EKURHULENI METROPOLITAN MUNICIPALITY
(BENONI CUSTOMER CARE CENTRE)
DECLARATION AS AN APPROVED TOWNSHIP**

IN TERMS OF SECTION 103(1) OF THE TOWN-PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE NO. 15 OF 1986), THE EKURHULENI METROPOLITAN MUNICIPALITY (BENONI CUSTOMER CARE CENTRE) HEREBY DECLARES CRYSTAL PARK EXTENSION 41 TO BE AN APPROVED TOWNSHIP, SUBJECT TO THE CONDITIONS SET OUT IN THE SCHEDULE HERETO.

SCHEDULE

STATEMENT OF THE CONDITIONS UNDER WHICH THE APPLICATION MADE BY IHOME PROPRIETARY LIMITED HEREINAFTER REFERRED TO AS THE APPLICANT/TOWNSHIP OWNER) UNDER THE PROVISIONS OF PARTS A AND C OF CHAPTER 3 OF THE TOWN PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE 15 OF 1986) FOR PERMISSION TO ESTABLISH A TOWNSHIP ON PORTION 452 (A PORTION OF PORTION 401) OF THE FARM VLAKFONTEIN NO 69 I.R, HAS BEEN GRANTED.

A CONDITIONS OF ESTABLISHMENT**(1) NAME**

The name of the township shall be CRYSTAL PARK EXTENSION 41.

(2) DESIGN

The township shall consist of erven and streets as indicated on a General Plan No: 1896/2019.

(3) DISPOSAL OF EXISTING CONDITIONS OF TITLE

All erven shall be made subject to existing conditions if any:

(4) STORMWATER DRAINAGE AND STREET CONSTRUCTION:

(a) The township owner shall, on request by the Municipality, submit for his approval a detailed scheme complete with plans, sections and specifications, prepared by a professional Engineer, who shall be a member of the South African Association of Consulting Engineers or SABBACO, for the collection and disposal of storm water throughout the township by means of properly constructed works and for the construction, surfacing, kerbing and channelling of the streets therein together with the provision of such retaining walls as may be considered necessary by the Municipality. Furthermore, the scheme shall indicate the route and gradient by which each erf gains access to the street on which it abuts.

(b) The township owner shall, when required to do so by the City Engineer, carry out the approved scheme at his/her own expense on behalf of and to the satisfaction of the City Engineer under the supervision of the appointed professional engineer and shall, for this purpose, provide financial guarantees to the Municipality as determined by it.

(c) The township owner shall be responsible for the maintenance for the streets and stormwater drainage system to the satisfaction of the City Engineer until the street and stormwater drainage system have been constructed as set out in Sub-clause (b) above.

(d) Should the township owner failed to comply with the Municipality provision of (a)(b) and (c) hereof they shall be entitled to do the work at the cost of the township owner.

(5) OBLIGATIONS IN REGARD TO ESSENTIAL SERVICES.

The township owner shall within such period as the Municipality may determine, fulfil obligations in respect of the provision of water, electricity and sanitary services and the installation of systems therefore, as previously agreed upon between the township owner and the Municipality.

(6) REMOVAL OR REPLACEMENT OF MUNICIPAL SERVICES.

If, by reason of the establishment of the township, it becomes necessary to remove or replace any existing municipal services, the costs thereof shall be borne by the township owners. The township owners shall consult the Municipality before any existing municipal service(s) need to be replaced or removed.

(7) ENDOWMENT.

The township owner shall, in terms of Section 98(2) and (3) of the Town Planning and Townships Ordinance, 15 of 1986, pay a lump sum endowment the Municipality for the provision of land for parks (public open space).

(8) ACCEPTANCE AND DISPOSAL OF STORMWATER.

The township owner shall arrange for the drainage of the township to fit in with those adjacent public roads, for all stormwater running off or being diverted from the roads to be received and disposed of.

(9) SOIL CONDITIONS.

Proposals to overcome detrimental soil conditions to the satisfaction of the Municipality shall be contained in all building plans submitted for approval and all buildings shall be erected in accordance with the precautionary measures accepted by the Municipality.

(10) PRECAUTIONARY MEASURES

The township owner shall at his own expense make arrangements with the local authority in order to ensure that the recommendations as laid down in the geological report of the township must be complied with and, when required, engineer certificates for the foundations of the structures must be submitted.

(11) DEMOLITION OF BUILDINGS AND STRUCTURES

The township owner shall at his own expense cause all existing buildings and structures situated within the building line reserves,

side spaces or over common boundaries to be demolished to the satisfaction of the local authority, when required by the local authority to do so.

(12) REMOVAL OF LITTER

The township owner shall at his own expense cause all litter within the township area to be removed to the satisfaction of the Municipality when required by the Municipality to do so.

(13) FORMULATION AND DUTIES OF THE HOME OWNERS ASSOCIATION

A non-profit company (NPC) must be established by the Township owner in terms of Section 1(1) of schedule 1 of the Companies Act, Act 71 of 2008 in order to administer security and services in the township.

- (a) Each and every owner of erven 6636-6665 in the township shall become a member of the NPC upon transfer to him of that erf;
- (b) The NPC shall have full responsibility for the functioning and proper maintenance of the portion for roadway purposes and the engineering services contained thereon. The Municipality shall not be liable for the defectiveness of the surfacing of the roadway and/or essential services not taken over by them;
- (c) The NPC must be incorporated with the legal power to levy from each and every member of the NPC the cost incurred in fulfilling its function and to have legal resources to recover such fees in the event of a default in payment by any member; and
- (d) The construction and maintenance of the roadway portion shall be the responsibility of the township owner until transfer of that portion of the NPC.

B. CONDITIONS OF TITLE

- (1) THE ERVEN SHALL BE SUBJECT TO THE FOLLOWING CONDITIONS IMPOSED BY THE LOCAL AUTHORITY IN TERMS OF THE PROVISIONS OF THE TOWN PLANNING AND TOWNSHIPS ORDINANCE, 15 OF 1986.

- (a) **Erven 6641, 6643, 6644, 6647, 6648, 6651, 6652, 6655, 6656, 6659 and 6660**

The erf is subject to a 2m wide sewer servitude in favour of the Local Authority as indicated on the General Plan No: 1896/2019.

(b) **Erf 6657**

The erf is subject to a 2m wide sewer servitude in favour of the Local Authority as indicated on the General Plan No: 1896/2019.

(c) **Erf 6640**

The erf is subject to a 2m wide sewer servitude in favour of the Local Authority as indicated on the General Plan No: 1896/2019.

(d) **Erf 6639**

The erf is subject to an electrical substation servitude in favour of the Local Authority as indicated on the General Plan No: 1896/2019.

(e) **Erf 6666**

i. The entire erf is subject to a servitude for municipal purposes in favour of the Local Authority as indicated on the General Plan No: 1896/2019 to guarantee access to the Local Authority's personnel and vehicles in order to carry out repair and maintenance work to the water, sewer and electrical networks (excluding street lights) after they have been taken over by the Local Authority.

ii. The entire erf is subject to a servitude of right of way in favour of erven **6636** to **6665** as indicated on the General Plan No: 1896/2019.

iii **Erf 6636 to 6665**

The erven are entitled to a right of way servitude over erf 6666 as indicated on the General Plan No: 1896/2019.

(f) **Erf 6660**

The erf is subject to a 3m wide storm water servitude as indicated on the General Plan No: 1896/2019.

(g) (i) **Erf 6642**

The erf is subject to a 3 metres right of way servitude indicated by the figure s7, s8, s9, s10, s11 and s7 in favour of Erf 6643 as indicated on General Plan.

(ii) **Erf 6643**

The erf is entitled to a 3 metres right of way servitude indicated by the figure s7, s8, s9, s10, s11 and s7 over Erf 6642 as indicated on General Plan.

(iii) **Erf 6645**

The erf is subject to a 3 metres right of way servitude indicated by the figure s12, s13, s14, s8, s7 and s12 in favour of Erf 6644 as indicated on General Plan.

(iv) **Erf 6644**

The erf is entitled to a 3 metres right of way servitude indicated by the figure s12, s13, s14, s8, s7 and s12 over Erf 6645 as indicated on the General Plan.

(v) **Erf 6646**

The erf is subject to 3 metres right of way servitude indicated by the figure s15, s16, s17, s18, s19 and s15 in favour of Erf 6647 as indicated on General Plan.

(vi) **Erf 6647**

The erf is entitled to a 3 metres right of way servitude indicated by the figure s15, s16, s17, s18, s19 and s15 over Erf 6646 as indicated on General Plan.

(vii) **Erf 6649**

The erf is subject to 3 metres right of way servitude indicated by the figure s20, s21, s22, s16, s15 and s20 in favour of Erf 6648 as indicated on General Plan.

(viii) **Erf 6648**

The erf is entitled to 3 metres right of way servitude indicated by the figure s20, s21, s22, s16, s15 and s20 over Erf 6649 as indicated on General Plan.

(ix) **Erf 6650**

The erf is subject to 3 metres right of way servitude indicated by the figure s23, s24, s25, s27 and s23 in favour of Erf 6651 as indicated on General Plan.

(x) **Erf 6651**

The erf is entitled to a 3 metres right of way servitude indicated by the figure s23, s24, s25, s27 and s23 over Erf 6650 as indicated on General Plan.

(xi) **Erf 6653**

The erf is subject to a 3 metres right of way servitude indicated by the figure s28, s29, s30, s24, s23 and s28 in favour of Erf 6652 as indicated on General Plan.

(xii) **Erf 6652**

The erf is entitled to a 3 metres right of way servitude indicated by the figure s28, s29, s30, s24, s23 and s28 over Erf 6653 as indicated on General Plan.

(xiii) **Erf 6654**

The erf is subject to a 3 metres right of way servitude indicated by the figure s31, s32, s33, s34, s35 and s31 in favour of Erf 6655 as indicated on General Plan.

(xiv) **Erf 6655**

The erf is entitled to a 3 metres right of way servitude indicated by the figure s31, s32, s33, s34, s35 and s31 over Erf 6654 as indicated on General Plan.

(xv) **Erf 6657**

The erf is subject to a 3 metres right of way servitude indicated by the figure s36, s37, s38, s32, s31 and s36 in favour of 6656 as indicated on General Plan.

(xvi) **Erf 6656**

The erf is entitled to a 3 meters right of way servitude indicated by the figure s36, s37, s38, s32, s31 and s36 over Erf 6657 as indicated on General Plan.

(xvii) **Erf 6658**

The erf is subject to a 3 metres right of way servitude indicated by the figure B11 s39, s40, s41, s42 and B11 in favour of Erf 6659 as indicated on General Plan.

(xviii) **Erf 6659**

The erf is entitled to a 3 metres right of way servitude indicated by the figure B11, s39, s40, s41, s42 and B11 over Erf 6658 as indicated on General Plan.

- (h) A registered owner shall be responsible for the maintenance of the whole development of the erf. If the Local Authority is of the opinion that the erf or any portion of the development is not being satisfactorily maintained, the Local Authority

shall be entitled to undertake such maintenance to the cost of the registered owner.

- (i) A screen wall or walls shall be erected and maintained to the satisfaction of the Local Authority, as and when required by it.
- (j) If the erf is to be fenced, such fence and the maintenance thereof shall be to the satisfaction of the Local Authority.

**EKURHULENI METROPOLITAN MUNICIPALITY
(BENONI CUSTOMER CARE CENTRE)
EKURHULENI TOWN PLANNING SCHEME 2014: AMENDMENT SCHEME B0602**

The Ekurhuleni Metropolitan Municipality hereby, in terms of the provisions of section 125(1) of the Town Planning and Townships Ordinance, 1986, declares that it has approved an amendment scheme, being an amendment of Ekurhuleni Town-Planning Scheme 2014, comprising the same land as included in the township of Crystal Park Extension 41.

The amendment scheme documents will lie for inspection during normal office hours at the offices of the Head of Department: City Planning, Ekurhuleni Metropolitan Municipality, and at the offices of the Area Manager, Benoni Civic Centre; as well as at the Gauteng Provincial Government, Office of the Premier, Gauteng Planning Division.

This amendment scheme is known as Ekurhuleni Amendment Scheme B0602 and shall come into operation on the date of the publication of this notice.

Imogen Mashazi: City Manager,
Ekurhuleni Metropolitan Municipality, Private Bag X1069 Germiston, 1400

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